

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

LEAGUE OF CONSERVATION VOTERS *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP *et al.*,

Defendants

AMERICAN PETROLEUM INSTITUTE and STATE OF
ALASKA,

Intervenor-Defendants.

Case No. 3:17-cv-00101-SLG

DECLARATION OF DR. LESLIE S. KAUFMAN

I, Leslie S. Kaufman, declare as follows:

1. I am currently a member of Sierra Club and have been for a number of years. I am also a participant in Sierra Club's National Marine Team.

2. I am a Professor of Biology in the Marine Program of Boston University. My Ph.D. is in theoretical ecology and evolutionary biology. I have been working as a marine biologist and living as a naturalist in the New England area since 1980. For much of this time I have also variously been active in the work of the New England Fishery Management Council, the Massachusetts Audubon Society, and the Stellwagen Bank National Marine Sanctuary. I have led marine research at The New England Aquarium and participated in or co-led offshore wildlife tours in offshore areas of New England including the continental shelf, shelf edge, and underwater canyons.

3. The northeast Atlantic canyons that were withdrawn from oil and gas development by President Obama are an important part of my oceanic front yard, and are key to

both my research and recreational interests. Consequently, I am very concerned about their suddenly being made available for fossil fuel exploitation by President Trump.

4. Shelf-edge canyons are one of the most critically important submarine features for marine resources and wildlife in our region. They are areas of peak biological diversity (i.e. impressive concentrations of marine wildlife species of all sorts), and are important feeding zones for marine mammals, seabirds, and giant ocean fishes. This exuberant profusion of life is highly concentrated, particularly at certain times of year. For the past five years or so as part of my research, I have been co-lead on a team of scientists studying a seabird called the great shearwater. Since we've been attaching radio telemetry packages to some of these birds, we know where they have been going. It is not uncommon to find them spending a lot of time as part of the canyon wildlife circus (e.g. see: <https://stellwagen.noaa.gov/seabirds.html>), which I also know from observing the extraordinary concentration of seabirds, whales, and other species that routinely gather out there.

5. Another remarkable feature of canyon heads is their extreme importance to both commercial and recreational fishing. The canyons are a principal home to bluefin, albacore, yellowfin and bigeye tunas, mako shark, blue and white marlin, swordfish, dolphin (the fish), and other southern adventurers who come north along the Gulf Stream. There are commercial fisheries for red crab and lobster, squid, and butterfish. The wildlife that draws people out on single and multiple-day safaris include such spectacular creatures as beaked whales, sperm whales, sea turtles, and of course the seabirds. Indeed, our canyons are the very best place (and the only regular opportunity) for ordinary folks to come face to face with the wildness and beauty of the open ocean. The craggy bottom within the canyons is prime habitat for deep-sea corals—among the least well-understood and most and threatened of our New England and mid-

Atlantic invertebrates, and the anchor species for a host of other organisms that live in, on, and about these ancient coral trees.

6. Most of my free time is a busman's holiday, spent fishing, birdwatching, canoeing, hiking, SCUBA diving, or doing some such activity. I derive great enjoyment from observing the diverse fauna offshore and in and around the canyons, and recreational fishing for species that live there. As I grow older, I plan to spend more and more time out in the canyons.

7. The canyons are there for everybody, and their abundance is renewable—we have only to be good stewards to them to have their benefits forever. I am very disturbed by the possibility that these unique and valuable areas that are so central to my life may be open to mineral exploration and exploitation. Against natural challenges like the weather, the denizens of the canyons are powerful and resourceful organisms; yet, against the unfamiliar impacts of oil and mineral exploitation, these canyons are delicate places full of fragile creatures. The chronic and acute effects associated with submarine fossil fuel exploitation threaten to destroy the canyons.

8. Some of the whale populations I enjoy observing migrate to and from New England through areas to the south for which I understand companies have applied for authorization to conduct seismic operations to explore for oil and gas. These types of seismic operations, whose effects are felt over vast distances, are well known to harm whales. I worry that these beautiful creatures—some of which are protected by law as threatened and endangered—will be further depleted. And we have had several graphic demonstrations in recent years of what an oil accident in deep water looks like, and for affected marine ecosystems it is a disaster.

9. Given that, and the inevitable global trend away from fossil fuels, I strongly oppose opening these areas with their spectacular fisheries, wildlife, and biodiversity to mineral exploitation. It amounts to a squandering of literally incalculable wealth in biological diversity.

I declare under penalty of perjury that the foregoing declaration is true and correct.

Dated: June 4, 2018

By:

A handwritten signature in black ink, appearing to read "Les Kaufman", followed by a long horizontal line extending to the right.

Leslie S. Kaufman